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C O N F I D E N T I A L SECTION 01 OF 02 SARAJEVO 000608

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EUR FOR DICARLO, EUR/SCE (HOH, FOOKS, STINCHCOMB); NSC FOR  
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SUBJECT: BOSNIA - PARLIAMENT FAILS TO PASS POLICE REFORM;  
LAJCAK READIES ULTIMATUM

REF: A. SARAJEVO 599  
[1](#)B. SARAJEVO 521  
[1](#)C. SARAJEVO 488

Classified By: Michael J. Murphy. Reasons 1.4 (b), (d)

[1](#)1. (C) SUMMARY: As anticipated, Parliament failed to pass police reform legislation at its April 2 session (Ref A). Party for BiH (SBiH), Alliance of Independent Social Democrats (SNSD), and Croatian Democratic Union-BiH (HDZ-BiH) each put forward its own version of the laws, but failed to negotiate a harmonized compromise. Opposition parliamentarians (and several independent observers) characterized the debate and proceedings as a "circus." High Representative Miroslav Lajcak has concluded that the only way out of the current impasse is to deliver an ultimatum to party leaders, including a "take it or leave it" "international community" compromise text. The text would split the difference between SBiH President Haris Silajdzic's demand for amendments that would guarantee a specific outcome to a second phase of police reform and SNSD President Milorad Dodik's refusal to consider any amendments whatsoever, even those drawn verbatim from the Mostar Declaration and Sarajevo Action Plan. Lajcak has called an April 3 meeting of the U.S., EC, and Turkish Ambassadors to seek their support for this approach. Lajcak's strategy calls for publicly blaming the parties and party leaders that reject the compromise for blocking Bosnia's road to Europe. END SUMMARY

Police Reform Debate Degenerates into a Circus  
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[1](#)2. (C) The three Speakers of the House of Representatives (HoR) met before the start of the April 2's HoR session, but as expected, were unable to agree on harmonized drafts of the police reform laws. Despite urging from OHR to delay House consideration of police reform legislation until they had agreed on a compromise version of the laws, SBiH, SNSD, and HDZ-BiH each put forward its own version of the laws. Parliament then began a lengthy discussion on whether to allow consideration of the three different sets of the laws under urgent procedure. During the debate, most delegates rehashed their parties' view on the police reform package itself and attacked their political opponents. Several opposition party members accused the Collegium of creating a circus by allowing the introduction of three similar laws and urged the governing coalition to rally behind single version of the law.

13. (C) At 15:00 Parliament called for a break to allow the Speakers to make "one last attempt" to harmonize their parties' versions of the laws. The meeting failed to produce a compromise, and we were told that several MPs outside the room heard SBiH Speaker Belkic screaming at his colleagues. The overall mood in Parliament deteriorated during the course of the day as it became clear that no one would compromise. At 17:00 Parliament moved on to other business on the agenda.

The Collegium had planned to vote tomorrow on all agenda items, including whether to allow one, two, or all three versions of the police reform legislation to be considered under urgent procedure. However, OHR contacts tell us that they have persuaded the Collegium to delay consideration of any police reform legislation until April 10.

#### Next Steps for the International Community

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14. (C) We spoke with OHR in the early evening of April 2. According to OHR staff, Lajcak has decided that forceful intervention by OHR/EUSR and key Ambassadors is the only way out of the current impasse. He wants the EC, Turkish, and U.S. Ambassadors to join him at a meeting with party leaders who signed the Mostar Declaration and Sarajevo Action Plan sometime in the next several days. (Note: Lajcak will not invite Party for Democratic Action President Tihic, who has strongly opposed the draft legislation. End Note) Lajcak's plan is to present the party leaders with "take it or leave it versions" of the two draft laws, what OHR staff referred to us as "the international community's texts."

15. (C) The "international community texts" would incorporate language from the Mostar Declaration and Sarajevo Action Plan

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that reference the three EC principles and a second phase of police reform. This would take the form of distinct articles in the legislation. The "international community texts" would fall short of language contained in SBiH's proposed amendments, which go beyond the Mostar Declaration and Sarajevo Action Plan. However, the tabling of "international community texts" would also explicitly challenge SNSD's dogmatic refusal of any amendments to police reform legislation, including verbatim language from the Mostar Declaration and Sarajevo Action Plan, which Dodik has already signed.

#### Assigning Clear Blame

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16. (C) Lajcak would make clear to all five party leaders, but particularly to Dodik and Silajdzic that if they refuse to support the "international community texts," the international community would publicly blame opponents for the failure of police reform and for blocking Bosnia's path to Europe.

-- The core message to Silajdzic would be: "We will not support SBiH amendments from the working group because they go beyond the Mostar Declaration and Sarajevo Action Plan. We are prepared to support a proposal as long as it is 100 percent drawn from the Mostar Declaration and Sarajevo Action Plan, including explicit reference to the three EU principles and phase two. On March 20, your party was ready to accept amendments based only on the Mostar Declaration and Sarajevo Action Plan. We want to bring the process back to this point."

-- The core message to Dodik would be: "You signed the Mostar Declaration and Sarajevo Action Plan, and it is unacceptable to reject language drawn in part or in whole from these documents. You need to be aware that if SNSD rejects proposals that include verbatim language from the Mostar Declaration and Sarajevo Action Plan, you will be responsible for failure of police reform and be blamed for being anti-SAA and anti-Europe."

